

**CITY OF FRANKFORT
CODE ENFORCEMENT BOARD MEETING
OCTOBER 23, 2007
MINUTES**

Members Present:

Members Absent:

Mr. David Garnett
Mrs. Rona Stapleton
Ms. Vicki Pettus
Ms. Jennifer Devine Smith
Mr. George White, Jr

There being a quorum, Mr. David Garnett called the October 23, 2007 Code Enforcement Board meeting to order.

The next item of business was approval of the Minutes of the meeting of September 25, 2007. Mrs. Stapleton made a motion to accept the minutes as submitted. Mr. White seconded the motion. The motion carried.

DEFAULT CASES:

Case # 1 306 West Main Street (Second Offense)
Owner: McClure New Century LTD
Violations found were the PMC Sections: 304.19 Public Nuisance; 304.2 Exterior Painting; 304.14 Window, Skylight, and Door Frames; 301.3 Vacant Structures and Land.
Fine: \$500.00 and correct within thirty (30) days of the final order.
Mr. Garnett made the motion and Ms. Pettus seconded the motion.
The motion passed unanimously 4-0. **Jennifer Devine Smith had recused herself from this case.**

Case # 2 263 Smith Avenue
Owner: Ronnie Payton
Violations found were the PMC Section: 302.10.1 Junk Vehicles.
Fine: \$200.00 and correct within thirty (30) days of the final order.
Mr. Garnett made the motion and Mrs. Stapleton seconded the motion.
The motion passed unanimously 5-0.

APPEALS:

The following list of names is the persons giving testimony at this meeting and sworn in by Mrs. Edith Noe, the Code Enforcement Board Secretary for the City of Frankfort:

Jo A. Morgan, Code Inspector
Frances Canty, owner of 208-212 East Main Street
Jeffrey Hurst, owner of 710 Dabney Street
Dorothy Clark, owner of 309 Wallace Avenue

Case # 1

208-212 East Main Street
Owner: Frances Canty
PMC Sections: 109.1 General; 109.2 Failure to Comply.

Ms. Pettus made a motion to remove this case from being tabled. Mrs. Stapleton seconded the motion.

Mr. White made a motion to grant an additional three months extension to cleanup the property. There was no second, so the motion failed.

Evidence establishes on the date of the citation, there was a violation of the Property Maintenance Code Sections: 109.1 General and 109.2 Failure to comply and a fine in the amount of \$200.00 imposed and to correct within sixty (60) days. Failure to pay the fine will result in alien being filed and failure to correct the violation will result in a second citation being issued.

Ms. Pettus made the motion and Mrs. Devine Smith seconded the motion. The motion carried 3-2. Mr. White and Mrs. Stapleton voted against.

Ms. Morgan informed the Board a fence had been erected within the time specified. Ms. Morgan further stated the structure continues to be in an unsafe condition.

Ms. Canty testified she had wanted to build greenhouse apartments at this location, but due to the extreme cost reconsidered demolition of the structure. Ms. Canty stated there were several parties interested in the re-usable materials.

Case # 2

710 Dabney Street
Owner: Jeffrey Hurst
PMC Sections: 304.4 Structural Members; 304.8 Decorative Features.

Mrs. Stapleton made a motion to remove this case from being tabled. Ms. Pettus seconded the motion.

Ms. Pettus moved to dismiss this case but then amended the motion to say a violation did occur and probated the \$200.00 fine.

Ms. Pettus made the motion and Mr. White seconded the motion as amended. The motion passed unanimously 5-0.

The violations had been corrected and the property was now in-compliance.

Case # 3

309 Wallace Avenue

Owner: Dorothy Clark

PMC Sections: 302.7 Accessory Structures.

Jennifer Devine Smith recused herself from hearing this case.

Mrs. Stapleton made a motion to table this case for thirty (30) days and see this case next month. Mr. Garnett seconded the motion. The vote was tied 2-2. Mr. Garnett and Mrs. Stapleton voted Yes and Ms. Pettus and Mr. White voted against. This motion failed.

Ms. Pettus made a motion that based on the testimony of the city staff and property owner that a violation of PMC Section 302.7 Accessory Structure did occur at 309 Wallace Avenue and impose a fine in the amount of \$200.00 and to correct within thirty days. Mr. White seconded the motion. The vote was tied 2-2. Ms. Pettus and Mr. White voted Yes and Mr. Garnett and Mrs. Stapleton voted against. This motion failed.

Evidence establishes on the date of the citation, there was a violation of the Property Maintenance Code Section: 302.7 Accessory Structures. The Board imposed a fine of \$200.00 and probated the entire amount of the fine upon the condition that the offending condition is corrected within thirty (30) days of the date of the final order.

Mrs. Stapleton made the motion and Ms. Pettus seconded the motion. The motion carried 3-1. Mr. Garnett voted against.

Ms. Morgan stated the accessory structure was still in need of repair. Mr. Logan moved to enter the packet and it's contents into the record in lieu of additional testimony.

Ms. Clark stated she has purchased some materials to make the corrections but needed more time to complete the repairs. Ms. Clark stated her sons will be doing the work and the condition would be corrected.

Under Old Business:

None

Under New Business:

1. Citizen's Comments --None
2. Ms. Stapleton wanted the public to know and the record to show that the Board does not see demolition orders at all times.

The next meeting is scheduled for November 27, 2007 at 5:00 p.m.

With there being no further business, the October 23, 2007 Code Enforcement Board was adjourned.

ATTESTED: SECRETARY

CHAIRMAN